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August 26, 2022

*By Electronic Filing*

The Hon. Andrew T. Baxter  
U.S. Magistrate Judge  
United States District Court for  
the Northern District of New York  
Federal Building and U.S. Courthouse  
P.O. Box 7396  
Syracuse, NY 13261-7396

Re: Re: Request to Extend Time to Exchange Mandatory Disclosures, *Benn v. Neal*, No.  
22-cv-00820-GTS-ATB

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Dear Magistrate Judge Baxter:


We are counsel for Defendant Diane Neal in the above referenced matter. The parties jointly request that Your Honor extend the parties' time to exchange the mandatory disclosures required under Rule 26(a)(1). The mandatory disclosures are currently due on August 30, seven days prior to the Rule 16 conference, which is currently scheduled for September 6, 2022. Plaintiff's counsel has informed us that Plaintiff expects to amend his complaint shortly, and is still considering whether to seek remand to the state court in this action. In addition, we are considering filing a dispositive motion in this case. For all of these reasons, providing the mandatory disclosures at this juncture is premature.

Accordingly, the parties request that the time to exchange mandatory disclosures be extended until 30 days after the filing of the amended complaint. In the event the Defendant decides to make a dispositive motion against the amended complaint, Defendant will likely ask this Court reset the deadline for the mandatory disclosures until some time after any ruling on such motion.

The parties are not seeking to postpone the case management conference currently set for September 6, and will be available to answer any questions the Court may have at that time.

The Hon. Andrew T. Baxter  
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Very truly yours,



Lynn Oberlander

LO/cc

cc: Nicholas Faso, Esq., Counsel for Plaintiff